

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

J.Y.C.C., <i>et al.</i> ,)	
)	Case No. 4:15-cv-01704-RWS
Plaintiffs,)	
)	
vs.)	
)	
THE DOE RUN RESOURCES)	
CORPORATION, <i>et al.</i> ,)	
)	
Defendants.)	

JOINT PROPOSED CASE MANAGEMENT ORDER NO. 17

Pursuant to this Court’s January 26, 2023 Order (ECF No. 720), the parties submit this joint proposed Case Management Order No. 17.¹ The following case management deadlines will apply in this matter:²

I. SCHEDULING PLAN

A. Outstanding Profile Sheets for Ungrouped Plaintiffs

Plaintiffs shall produce Profile Sheets for the following 247 ungrouped Plaintiffs by **May 10**,

¹ On January 20, 2023, Judge Perry certified for interlocutory appeal her Memorandum and Order on Defendants’ Motion for Application of Peruvian Law and Summary Judgment Under Peruvian Law, or Alternatively, Dismissal Under Transnational Law Doctrines, pursuant to 28 U.S.C. § 1292(b). *A.O.A., et al. v. DRRC, et al.*, Case No. 4:11-cv-00044-CDP (ECF No. 1322). Judge Perry reasoned that if Defendants’ contentions are correct, “this *litigation will be over* – at least in courts of the United States” and that without resolution of the presented “novel, difficult, and case-dispositive legal questions, this litigation will go on years into the future at even greater expense – *possibly unnecessarily so.*” (*Id.* at 77, 78) (emphasis added). Accordingly, on January 31, 2023, Defendants/Petitioners filed a Petition for Permission to Appeal Pursuant to 28 U.S.C. § 1292(b) in the Eighth Circuit Court of Appeals (Appeal No. 23-8001). Given the same legal issues raised in these cases, while the parties offer these dates during the pendency of the Petition, Defendants advise the Court that they intend to move to stay these proceedings pending resolution of the appeal should their Petition be granted. Plaintiffs will oppose any stay sought by Defendants.

² Although the deadlines herein primarily concern the Initial Trial Pool (“ITP”) Plaintiffs, Defendants reserve all rights to raise other issues with the Court involving the non-Trial Pool Plaintiffs, including but not limited to any fraud-related issues.

2023:

	PLFID	Initials	Federal Case No.
1.	1145	YYMC	4:17-cv-01225-SPM
2.	1425	CSCA	4:17-cv-01957-RWS
3.	1703	SPAB	4:17-cv-01963-JAR
4.	1990	KMCC	4:18-cv-00638-RWS
5.	2050	SMM	4:20-cv-00964-RWS
6.	2053	NFAP	4:20-cv-00964-RWS
7.	2054	TAR	4:20-cv-00964-RWS
8.	2055	NCAJ	4:20-cv-00964-RWS
9.	2056	RAAJ	4:20-cv-00964-RWS
10.	2057	ABAG	4:20-cv-00964-RWS
11.	2058	DYBV	4:20-cv-00964-RWS
12.	2060	XMYBDLC	4:20-cv-00964-RWS
13.	2061	EMBV	4:20-cv-00964-RWS
14.	2062	OOBV	4:20-cv-00964-RWS
15.	2063	VIBV	4:20-cv-00964-RWS
16.	2064	SLBZ	4:20-cv-00964-RWS
17.	2066	AJCQ	4:20-cv-00964-RWS
18.	2068	MICQ	4:20-cv-00964-RWS
19.	2069	ANCG	4:20-cv-00964-RWS
20.	2070	KBCG	4:20-cv-00964-RWS
21.	2071	EZCC	4:20-cv-00964-RWS
22.	2072	XRCC	4:20-cv-00964-RWS
23.	2073	MACD	4:20-cv-00964-RWS
24.	2074	AMCA	4:20-cv-00964-RWS
25.	2075	TACP	4:20-cv-00964-RWS
26.	2076	ASCR	4:20-cv-00964-RWS
27.	2077	YSCR	4:20-cv-00964-RWS
28.	2078	JACL	4:20-cv-00964-RWS
29.	2079	IABCR	4:20-cv-00964-RWS
30.	2080	REDC	4:20-cv-00964-RWS
31.	2081	ADLCA	4:20-cv-00964-RWS
32.	2082	AJDLCA	4:20-cv-00964-RWS
33.	2083	CMDR	4:20-cv-00964-RWS
34.	2084	LKEL	4:20-cv-00964-RWS
35.	2085	YAFG	4:20-cv-00964-RWS
36.	2086	SKPFL	4:20-cv-00964-RWS
37.	2087	ANFC	4:20-cv-00964-RWS
38.	2088	FAFC	4:20-cv-00964-RWS
39.	2089	WHGH	4:20-cv-00964-RWS

40.	2090	JDGD	4:20-cv-00964-RWS
41.	2091	ALGP	4:20-cv-00964-RWS
42.	2092	JJGP	4:20-cv-00964-RWS
43.	2093	PFMHI	4:20-cv-00964-RWS
44.	2094	RHV	4:20-cv-00964-RWS
45.	2095	KYJP	4:20-cv-00964-RWS
46.	2096	ALC	4:20-cv-00964-RWS
47.	2097	ELC	4:20-cv-00964-RWS
48.	2098	JGLL	4:20-cv-00964-RWS
49.	2099	BMLM	4:20-cv-00964-RWS
50.	2100	HNLE	4:20-cv-00964-RWS
51.	2101	BALP	4:20-cv-00964-RWS
52.	2102	LKLP	4:20-cv-00964-RWS
53.	2103	LAMM	4:20-cv-00964-RWS
54.	2104	JVMB	4:20-cv-00964-RWS
55.	2105	DDMT	4:20-cv-00964-RWS
56.	2106	NDMT	4:20-cv-00964-RWS
57.	2107	SKMM	4:20-cv-00964-RWS
58.	2108	ANMP	4:20-cv-00964-RWS
59.	2109	MKMME	4:20-cv-00964-RWS
60.	2166	NEMF	4:19-cv-00938-JAR
61.	2167	NLMR	4:19-cv-00938-JAR
62.	2168	CMZC	4:19-cv-00938-JAR
63.	2169	JNAS	4:19-cv-00938-JAR
64.	2170	PALR	4:19-cv-00938-JAR
65.	2171	AAAS	4:19-cv-02572-JAR
66.	2172	ELEAS	4:19-cv-02572-JAR
67.	2173	GKAS	4:19-cv-02572-JAR
68.	2174	AYAS	4:19-cv-02572-JAR
69.	2175	KCAP	4:19-cv-02572-JAR
70.	2176	RAAM	4:19-cv-02572-JAR
71.	2177	YFBR	4:19-cv-02572-JAR
72.	2178	JJCR	4:19-cv-02572-JAR
73.	2179	LNCR	4:19-cv-02572-JAR
74.	2180	ABCC	4:19-cv-02572-JAR
75.	2181	MCCC	4:19-cv-02572-JAR
76.	2182	MDCR	4:19-cv-02572-JAR
77.	2183	GYCR	4:19-cv-02572-JAR
78.	2184	IYCM	4:19-cv-02572-JAR
79.	2185	JDCM	4:19-cv-02572-JAR
80.	2186	JPCL	4:19-cv-02572-JAR
81.	2187	YMCL	4:19-cv-02572-JAR

82.	2188	DACT	4:19-cv-02572-JAR
83.	2189	YACA	4:19-cv-02572-JAR
84.	2190	NICQ	4:19-cv-02572-JAR
85.	2191	ARCV	4:19-cv-02572-JAR
86.	2192	ACDM	4:19-cv-02572-JAR
87.	2193	ABDM	4:19-cv-02572-JAR
88.	2194	AGEB	4:19-cv-02572-JAR
89.	2195	HFHDL	4:19-cv-02572-JAR
90.	2196	JNHDL	4:19-cv-02572-JAR
91.	2197	MMHC	4:19-cv-02572-JAR
92.	2198	FIH	4:19-cv-02572-JAR
93.	2199	FIH	4:19-cv-02572-JAR
94.	2200	JCJLR	4:19-cv-02572-JAR
95.	2201	JJULR	4:19-cv-02572-JAR
96.	2202	SFLR	4:19-cv-02572-JAR
97.	2203	YLC	4:19-cv-02572-JAR
98.	2204	EJLH	4:19-cv-02572-JAR
99.	2205	GAMQ	4:19-cv-02572-JAR
100.	2206	LCAMQ	4:19-cv-02572-JAR
101.	2207	XYMQ	4:19-cv-02572-JAR
102.	2208	JEMA	4:19-cv-02572-JAR
103.	2209	GPMR	4:19-cv-02572-JAR
104.	2210	NBMZ	4:19-cv-02572-JAR
105.	2211	JAMT	4:19-cv-02572-JAR
106.	2212	IDMT	4:19-cv-02572-JAR
107.	2213	YYMT	4:19-cv-02572-JAR
108.	2214	AAOR	4:19-cv-02572-JAR
109.	2215	DMOR	4:19-cv-02572-JAR
110.	2216	JJOF	4:19-cv-02572-JAR
111.	2217	MMOA	4:19-cv-02572-JAR
112.	2218	MAOA	4:19-cv-02572-JAR
113.	2219	GFPDL	4:19-cv-02572-JAR
114.	2220	DLPA	4:19-cv-02572-JAR
115.	2221	JJRC	4:19-cv-02572-JAR
116.	2222	ELRH	4:19-cv-02572-JAR
117.	2223	SJRA	4:19-cv-02572-JAR
118.	2224	KIRV	4:19-cv-02572-JAR
119.	2225	ERC	4:19-cv-02572-JAR
120.	2227	JYRV	4:19-cv-02572-JAR
121.	2228	RJRF	4:19-cv-02572-JAR
122.	2229	DIRA	4:19-cv-02572-JAR
123.	2230	LLRA	4:19-cv-02572-JAR

124.	2231	GASR	4:19-cv-02572-JAR
125.	2232	MSSM	4:19-cv-02572-JAR
126.	2233	KJTT	4:19-cv-02572-JAR
127.	2234	JATM	4:19-cv-02572-JAR
128.	2235	JJTM	4:19-cv-02572-JAR
129.	2236	NSTG	4:19-cv-02572-JAR
130.	2237	LLRVM	4:19-cv-02572-JAR
131.	2238	JVM	4:19-cv-02572-JAR
132.	2239	LAZC	4:19-cv-02572-JAR
133.	2240	ABAC	4:19-cv-02578-JAR
134.	2241	AJAC	4:19-cv-02578-JAR
135.	2242	YOAA	4:19-cv-02578-JAR
136.	2243	JDAF	4:19-cv-02578-JAR
137.	2244	KJAL	4:19-cv-02578-JAR
138.	2245	BTNAR	4:19-cv-02578-JAR
139.	2246	DEAC	4:19-cv-02578-JAR
140.	2247	HDLAV	4:19-cv-02578-JAR
141.	2248	MKAAV	4:19-cv-02578-JAR
142.	2249	AGAQ	4:19-cv-02578-JAR
143.	2250	LIAQ	4:19-cv-02578-JAR
144.	2251	SAAQ	4:19-cv-02578-JAR
145.	2252	MSAS	4:19-cv-02578-JAR
146.	2253	XABD	4:19-cv-02578-JAR
147.	2254	ARBD	4:19-cv-02578-JAR
148.	2255	DJBR	4:19-cv-02578-JAR
149.	2256	JJBR	4:19-cv-02578-JAR
150.	2257	MABR	4:19-cv-02578-JAR
151.	2258	RJBR	4:19-cv-02578-JAR
152.	2259	JRCH	4:19-cv-02578-JAR
153.	2260	MNCL	4:19-cv-02578-JAR
154.	2261	YSCL	4:19-cv-02578-JAR
155.	2262	AGCL	4:19-cv-02578-JAR
156.	2263	JLCL	4:19-cv-02578-JAR
157.	2264	YMCC	4:19-cv-02578-JAR
158.	2265	DRCP	4:19-cv-02578-JAR
159.	2266	DBCP	4:19-cv-02578-JAR
160.	2267	FDCP	4:19-cv-02578-JAR
161.	2268	DRCG	4:19-cv-02578-JAR
162.	2269	ALCM	4:19-cv-02578-JAR
163.	2270	BACM	4:19-cv-02578-JAR
164.	2271	RBCB	4:19-cv-02578-JAR
165.	2272	AADLCJ	4:19-cv-02578-JAR

166.	2273	BAFC	4:19-cv-02578-JAR
167.	2274	RGGS	4:19-cv-02578-JAR
168.	2275	MNGP	4:19-cv-02578-JAR
169.	2276	JAHG	4:19-cv-02578-JAR
170.	2277	JLHG	4:19-cv-02578-JAR
171.	2279	CFHN	4:19-cv-02578-JAR
172.	2280	ACHC	4:19-cv-02578-JAR
173.	2281	BNHC	4:19-cv-02578-JAR
174.	2282	ANHS	4:19-cv-02578-JAR
175.	2283	CNHO	4:19-cv-02578-JAR
176.	2284	JSHO	4:19-cv-02578-JAR
177.	2285	LCHO	4:19-cv-02578-JAR
178.	2286	DTIC	4:19-cv-02578-JAR
179.	2287	IKIC	4:19-cv-02578-JAR
180.	2288	ALLA	4:19-cv-02578-JAR
181.	2289	EVLA	4:19-cv-02578-JAR
182.	2290	TKLA	4:19-cv-02578-JAR
183.	2291	AMMF	4:19-cv-02578-JAR
184.	2292	MIMF	4:19-cv-02578-JAR
185.	2293	AEMR	4:19-cv-02578-JAR
186.	2294	SGMR	4:19-cv-02578-JAR
187.	2295	DNMC	4:19-cv-02578-JAR
188.	2296	JSOR	4:19-cv-02578-JAR
189.	2297	SJOR	4:19-cv-02578-JAR
190.	2298	VDPE	4:19-cv-02578-JAR
191.	2299	DPR	4:19-cv-02578-JAR
192.	2300	DGRC	4:19-cv-02578-JAR
193.	2301	NSRH	4:19-cv-02578-JAR
194.	2302	XARH	4:19-cv-02578-JAR
195.	2303	GIRV	4:19-cv-02578-JAR
196.	2304	AASM	4:19-cv-02578-JAR
197.	2305	TFSM	4:19-cv-02578-JAR
198.	2306	YAUI	4:19-cv-02578-JAR
199.	2307	AJVS	4:19-cv-02578-JAR
200.	2308	LCZR	4:19-cv-02578-JAR
201.	2309	NYZR	4:19-cv-02578-JAR
202.	2310	SEAC	4:19-cv-02580-AGF
203.	2311	MJAL	4:19-cv-02580-AGF
204.	2312	FYAC	4:19-cv-02580-AGF
205.	2313	JJAN	4:19-cv-02580-AGF
206.	2314	REAS	4:19-cv-02580-AGF
207.	2315	EBZR	4:19-cv-02580-AGF

208.	2316	AICI	4:19-cv-02580-AGF
209.	2317	MACF	4:19-cv-02580-AGF
210.	2318	JACH2	4:19-cv-02580-AGF
211.	2319	JACH	4:19-cv-02580-AGF
212.	2320	ODCA	4:19-cv-02580-AGF
213.	2321	LNCB	4:19-cv-02580-AGF
214.	2322	CKDR	4:19-cv-02580-AGF
215.	2324	JSDA	4:19-cv-02580-AGF
216.	2325	JDEM	4:19-cv-02580-AGF
217.	2326	YAES	4:19-cv-02580-AGF
218.	2327	TCGA	4:19-cv-02580-AGF
219.	2328	MKHE	4:19-cv-02580-AGF
220.	2329	DIHA	4:19-cv-02580-AGF
221.	2330	LJHH	4:19-cv-02580-AGF
222.	2331	MAHH	4:19-cv-02580-AGF
223.	2332	JPHR	4:19-cv-02580-AGF
224.	2333	NCHR	4:19-cv-02580-AGF
225.	2334	SSHR	4:19-cv-02580-AGF
226.	2335	VYHR	4:19-cv-02580-AGF
227.	2336	BJHC	4:19-cv-02580-AGF
228.	2337	KCLM	4:19-cv-02580-AGF
229.	2338	KKLM	4:19-cv-02580-AGF
230.	2339	EAME	4:19-cv-02580-AGF
231.	2340	LGME	4:19-cv-02580-AGF
232.	2341	VLME	4:19-cv-02580-AGF
233.	2342	FMNC	4:19-cv-02580-AGF
234.	2343	ZMOB	4:19-cv-02580-AGF
235.	2344	FPPZ	4:19-cv-02580-AGF
236.	2345	ALPR	4:19-cv-02580-AGF
237.	2346	VJPR	4:19-cv-02580-AGF
238.	2347	LDRB	4:19-cv-02580-AGF
239.	2348	MFSM	4:19-cv-02580-AGF
240.	2349	AFAQ	4:19-cv-02941-JAR
241.	2350	AILC	4:19-cv-02941-JAR
242.	2351	BJLC	4:19-cv-02941-JAR
243.	2352	DMLC	4:19-cv-02941-JAR
244.	2353	IRMR	4:19-cv-02941-JAR
245.	2354	JJMR	4:19-cv-02941-JAR
246.	2355	YVMR	4:19-cv-02941-JAR
247.	2356	GMRA	4:19-cv-02941-JAR

B. Outstanding Next Friend Petitions

Plaintiffs shall produce Next Friend Petitions for the following 8 Plaintiffs by **March 13, 2023**:

	PLFID	Initials	Federal Case No.
1.	2249	AGAQ	4:19-cv-02578-JAR
2.	2250	LIAQ	4:19-cv-02578-JAR
3.	2251	SAAQ	4:19-cv-02578-JAR
4.	2252	MSAS	4:19-cv-02578-JAR
5.	2253	XABD	4:19-cv-02578-JAR
6.	2254	ARBD	4:19-cv-02578-JAR
7.	2255	DJBR	4:19-cv-02578-JAR
8.	2256	JJBR	4:19-cv-02578-JAR

C. Collection of Records for ITP Plaintiffs

On April 8, 2022, this Court outlined the parameters of a verification process for the ITP Plaintiffs, which included that all adult ITP Plaintiffs or their parents/guardians were “required to sign new authorizations that have been previously approved by this Court for the release of medical, school, and employment records, authorizing Defendants, should they choose to do so, to request and obtain any records or documentation of the ITP pool.” (Verification Process Order, ECF No. 622 at 2). Pursuant to the parties’ subsequent Joint Stipulation Regarding Production of Record Authorizations From Verification Process (“Stipulation”) (ECF No. 690), Plaintiffs have agreed to produce these forms “for all verified Plaintiffs from previously identified medical and educational providers, as well as any employers (including those who provided Certifications of No Records)” to Defendants “for their use, as needed.”

There are now 89 Plaintiffs remaining in the ITP.

Plaintiffs’ Position: Plaintiffs agree to produce the authorizations to Defendants by March 10, 2023. However, Plaintiffs do not believe the results of the verification process warrant a 7-month re-collection for the entire ITP. Defendants have failed to establish why any records

previously collected for the ITP are not credible. Until such time, there is no justification for delaying the entire ITP process unless Defendants can show a reasonable basis or justifiable concerns that a specific plaintiff, record, or facility is unreliable. Defendants have sufficient time to selectively collect any record(s) before the deadline to select their Discovery Cohort Plaintiffs.

Defendants' Position: As both the Court's Verification Process Order and the parties' Stipulation state, Defendants are entitled to collect *any records or documentation of the ITP pool for their use, as needed*, following Plaintiffs' production of the required record authorization forms. Yet, Plaintiffs' position assumes, without any support in the Court's Verification Process or elsewhere, that before Defendants can exercise this right—and without having the benefit of comparing these Plaintiffs' produced records against those Defendants recollect—Defendants must first make some sort of preliminary fraud showing for each ITP Plaintiff. This imposes a burden on Defendants where none exists and defeats the purpose of this contemplated record collection taken at Defendants' own expense, which this Court afforded Defendants to root out any fraudulent records following their full review of these records. Accordingly, assuming Plaintiffs produce all record authorization forms by **March 10, 2023**, Defendants shall have until **October 30, 2023** to collect the above-referenced ITP records. If Plaintiffs fail to produce all record authorization forms for these 89 Plaintiffs by this date, the remaining deadlines herein, including Defendants' deadline to collect the above-referenced records shall be continued the same number of days as the delay in the timing of Plaintiffs' production.

D. Initial Discovery Cohort

Although Plaintiffs previously made their initial 14 Initial Discovery Cohort Selections, one selection has since been dismissed with prejudice based on her failure to participate in the Court-ordered verification process.

Plaintiffs' Position: Plaintiffs do not believe a replacement selection is necessary or

required by this Court's prior CMOs. Plaintiffs are prepared to move forward with their remaining 13 selections.

Defendants' Position: This Court has long required, in numerous CMOs to date, that 28 of the ITP Plaintiffs will be included in the initial discovery cohort, with Plaintiffs to choose 14 and Defendants to choose 14. Therefore, Plaintiffs must notify the Court and opposing counsel of their replacement selection for the recently dismissed Plaintiff by **March 13, 2023**. Defendants will serve written discovery on the replacement Plaintiff by **March 27, 2023**. That Plaintiff must answer interrogatories and produce documents by **April 17, 2023**.

Plaintiffs' Position: Defendants must notify the Court and opposing counsel of their selected Plaintiffs by **March 13, 2023**. Defendants must serve written discovery on their selected Plaintiffs by **March 20, 2023**. Those Plaintiffs must answer interrogatories and produce documents by **April 20, 2024**.

Defendants' Position: Plaintiffs claim that "Defendants have sufficient time to selectively collect any record(s) before the deadline to select their Discovery Cohort Plaintiffs." *See supra* at 9. Yet, Plaintiffs' proposed deadline for Defendants to select their Plaintiffs—March 13, 2023—is a mere *three days* after Plaintiffs' proposed deadline to produce their record authorization forms. *See supra* at 8. This deadline, like many others proposed by Plaintiffs throughout, is largely unrealistic, ignoring the various practical complications that have often presented themselves in these cases. Moreover, Plaintiffs' proposed deadlines entirely ignore the course of dealings in these cases in which Plaintiffs have frequently requested extensions of deadlines.

Following their record recollection and review, Defendants will notify the Court and opposing counsel of their selected Plaintiffs by **December 11, 2023**. Defendants must serve written discovery on their selected Plaintiffs by **December 18, 2023**. Those Plaintiffs must answer

interrogatories and produce documents by **January 19, 2024**.

Plaintiffs' Position: Plaintiffs will produce neuropsychology and pediatric expert findings for the 14 Initial Discovery Cohort Plaintiffs selected by Plaintiffs by **March 13, 2023**. Plaintiffs will produce neuropsychology and pediatric expert findings for the 14 Initial Discovery Cohort Plaintiffs selected by Defendants by **July 13, 2023**. Depositions of Initial Discovery Cohort Plaintiffs, family members, and caregivers will begin **September 18, 2023**. The process regarding depositions of Non-Discovery Cohort Plaintiffs will be established by the Court at a later date. Fact discovery for the Initial Discovery Cohort Plaintiffs ends **December 31, 2023**.

Defendants' Position: Plaintiffs will produce neuropsychology and pediatric expert findings for the 14 Initial Discovery Cohort Plaintiffs selected by Plaintiffs by **December 11, 2023**. Plaintiffs will produce neuropsychology and pediatric expert findings for the 14 Initial Discovery Cohort Plaintiffs selected by Defendants by **February 1, 2024**. Depositions of Initial Discovery Cohort Plaintiffs, family members, and caregivers will begin **February 22, 2024**. The process regarding depositions of Non-Discovery Cohort Plaintiffs will be established by the Court at a later date. Fact discovery for the Initial Discovery Cohort Plaintiffs ends **June 28, 2024**.

E. Selection of the Initial Expert Discovery Cohort

The parties agree that two weeks after the completion of fact discovery, the parties will narrow the pool of Initial Discovery Cohort Plaintiffs down to 16 for expert discovery (the "Initial Expert Discovery Cohort"). Plaintiffs shall choose eight and Defendants shall choose eight.

Plaintiffs' Position: Plaintiffs must notify the Court and opposing counsel of their selections by no later than **January 31, 2024**, two weeks upon conclusion of discovery with respect to the Initial Discovery Cohort. Defendants must notify the Court and opposing counsel of their selections by no later than **February 29, 2024**.

Defendants' Position: Plaintiffs must notify the Court and opposing counsel of their

selections by no later than **July 12, 2024**, two weeks upon conclusion of discovery with respect to the Initial Discovery Cohort. Defendants must notify the Court and opposing counsel of their selections by no later than **July 19, 2024**.

II. OTHER PRE-TRIAL DEADLINES

Event	Defendants' Proposed Deadline	Plaintiffs' Proposed Deadline
Referral to Alternative Dispute Resolution	30 days after ruling on dispositive and <u>Daubert</u> motions.	30 days after ruling on dispositive and <u>Daubert</u> motions.
Completion of ADR	90 days after ADR referral deadline.	90 days after ADR referral deadline.
Plaintiffs' deadline to designate all merits experts and provide opposing counsel and any pro se parties with all information specified in Fed. R. Civ. P. 26(a)(2)	July 22, 2024	March 1, 2024
The parties shall meet and confer to set a schedule by which these expert depositions shall be conducted.	August 1, 2024	March 11, 2024
If the parties are unable to reach an agreement, they shall notify the Court in writing, and report the nature of the dispute. The report must include the names of each expert and the exclusionary dates, so the Court may set a final schedule at the conference.	August 1, 2024	March 11, 2024

Event	Defendants' Proposed Deadline	Plaintiffs' Proposed Deadline
Plaintiffs shall make their expert witnesses available for deposition	August 5, 2024	March 15, 2024
Depositions of Plaintiffs' expert witnesses will be completed.	October 7, 2024	May 15, 2024
Defendants shall notify Plaintiffs of the identity of the Rule 35 examiners and the scope of the examinations.	October 14, 2024	May 22, 2024
Any objections to the scope of the examinations shall be made to the Defendants.	October 28, 2024	June 5, 2024
If the parties are unable to reach an agreement as to the scope of the Rule 35 examinations, they shall notify the Court in writing, and report the nature of the dispute.	October 31, 2024	June 10, 2024
Plaintiffs shall make Expert Discovery Cohort Plaintiffs available for IMEs	November 11, 2024	June 24, 2024
IMEs of Expert Discovery Cohort Plaintiffs will be completed	February 17, 2025	August 26, 2024
Defendants' deadline to designate all merits experts and provide opposing counsel and any pro se parties with all information specified in Fed. R. Civ. P. 26(a)(2)	April 17, 2025	October 25, 2024

Event	Defendants' Proposed Deadline	Plaintiffs' Proposed Deadline
The parties shall meet and confer to set a schedule by which these expert depositions shall be conducted.	April 24, 2025	November 1, 2024
If the parties are unable to reach an agreement, they shall notify the Court in writing, and report the nature of the dispute. The report must include the names of each expert and the exclusionary dates, so the Court may set a final schedule at the conference.	April 24, 2025	November 1, 2024
Defendants shall make their expert witnesses available for depositions	May 5, 2025	November 15, 2024
Depositions of Defendants' expert witnesses will be completed.	July 21, 2025	December 31, 2024
Plaintiffs' deadline to designate all rebuttal expert witnesses and provide their reports	July 28, 2025	January 10, 2025
The parties shall meet and confer to set a schedule by which these expert depositions shall be conducted.	August 11, 2025	January 17, 2025

Event	Defendants' Proposed Deadline	Plaintiffs' Proposed Deadline
If the parties are unable to reach an agreement, they shall notify the Court in writing, and report the nature of the dispute. The report must include the names of each expert and any exclusionary dates, so the Court may set a final schedule at the conference.	August 11, 2025	January 17, 2025
Plaintiffs shall make any rebuttal expert witnesses available for depositions.	August 18, 2025	January 24, 2025
Deadline to complete depositions of Plaintiffs' rebuttal experts	September 22, 2025	February 24, 2025
Close of expert discovery	September 22, 2025	February 24, 2025
Deadline to file dispositive motions	November 10, 2025	March 24, 2025
Deadline to file Motions to Limit or Exclude Expert Testimony	December 10, 2025	April 21, 2025
Deadline to file responses to any dispositive motions	December 19, 2025	April 28, 2025
Deadline to file responses to Motions to Limit or Exclude Expert Testimony	January 19, 2026	May 12, 2025
Deadline to file replies in support of any dispositive motions	January 16, 2026	May 19, 2025

Event	Defendants' Proposed Deadline	Plaintiffs' Proposed Deadline
Deadline to file replies in further support of Motions to Limit or Exclude Expert Testimony	February 16, 2026	June 16, 2025

III. TRIAL DEADLINES

Pre-trial and trial-related deadlines will be set by further order of the Court after the completion of briefing on dispositive and other pre-trial motions.

IV. STATUS CONFERENCES

The Court shall hold regular status conferences on dates to be established by the parties in consultation with the Court. Unless otherwise ordered above, one week before each conference, counsel shall file a joint status report informing the Court of any matters that should be discussed at the conference.

RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this ____ of _____, 2023

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